

Furthermore, as the Examiner appreciates, in order to justify a requirement for restriction the difference between the invention defined by the various groups of claims must be material. Despite this requirement, although the Examiner has characterized the noted difference as being material, the requirement has not stated or offered a definition of what is "materially different" to justify a requirement for restriction, or offered an explanation as to why the mentioned differences are material for restriction requirement purposes.

Absent a definition or explanation of this concept, it is respectfully submitted that although the requirement has alleged that in the instant case Groups I-XIV are related as distinct methods of achieving the inhibition of angiogenesis with divergent agents, the requirement has not explained how such a difference is sufficiently "materially different" so as to justify restriction between the claims for examination purposes.

In view of the foregoing, it is respectfully requested that the Examiner seriously reconsider the requirement for restriction, and withdraw the same so as to give an examination on the merits on all of the claims pending in this application.

CONCLUSION

For the reasons discussed above, it is respectfully submitted that the requirement for restriction is improper and should be withdrawn.

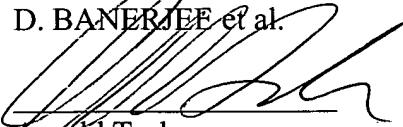
Withdrawal of the requirement for the restriction with the examination of all claims pending in this application is respectfully requested.

Favorable consideration with early allowance of the pending claims is most earnestly requested.

If the Examiner has any questions, or wishes to discuss this matter, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

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Reg. No. 33,094

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